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Application No	10/595,026	§	Examiner:	Chambers, Tangelia T
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For: Method and Network for WLAN Session Control

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APPLICANTS' REPLY BRIEF FILED UNDER 37 C.F.R. §1.193(b)(1)

In response to the Examiner's Answer having a mail date of February 2, 2011, the Applicant submits this reply brief to address the Examiner's arguments.

Rebuttal of Examiner's Answer

In responding to Applicant's arguments, the Examiner essentially argues that Chiou, *et al.* (U.S. Patent No. 6,473,413 B1) teaches the IAPP protocol and, therefore, it would be obvious to use that protocol in the methods described by Pruss, *et al.* (U.S. Patent Publication No. 2004/0193513 A1). The Applicant disagrees.

Claim 1 recites:

1. A network comprising at least one access point (AP) and one access controlling node, the access points making use of the Inter-Access Point Protocol (IAPP) for communication, wherein at least one mobile station may associate with the access points, wherein the identity of the mobile station can be approved by the access controlling node, wherein:

the access controlling node monitors whether a given mobile station has access to any of a given subset of access points and monitors an account relating to the given mobile station associated with a given access point of the subset of access points; and, if detecting that the account relating to the given mobile station has a balance of zero, the at least one access-controlling node issues at least one IAPP message causing the access point of the subset with which the mobile station is currently associated to disassociate the given mobile station, thereby terminating access for the given mobile station. (emphasis added)

The Applicant's invention is characterized, in part, **by the use of the Inter-Access Point Protocol (IAPP) for access control**. As previously noted by the Applicant, the IAPP protocol *is conventionally used for handover purposes*; i.e., the transfer of a mobile station from one radio base station (i.e., an access point) to another. In contrast, the Applicant's invention extends the use of the IAPP protocol for purposes of **access control**; specifically, to **terminate** an association of a mobile station with an access point in response to a determination that an account relating to the given mobile station has a balance of zero. The Applicants have reviewed the teachings of the cited prior art and find no such disclosure of that use of the IAPP protocol.

The Examiner has repeatedly acknowledged that Pruss does not teach the use of the IAPP protocol. (Examiner's Answer; page 5, line 1, *et seq.*) To overcome that deficiency in Pruss, the Examiner asserts that Chiou "in an analogous art discloses the limitation." (Examiner's Answer; page 5, line 3, *et seq.*) The Examiner states that, according to the teachings of Chiou, "[t]he communication among the Access Points (AP) in the WLANs is following the communication mechanisms defined by the Inter Access Point Protocol (IAPP)." (Examiner's Answer; page 5, line 5, *et seq.*) The Applicant believes the Examiner reads too much into the teachings of Chiou.

Chiou discloses a method "involve[d] in integrating the communication mechanisms of IAPP and mobile IP . . . for allowing a mobile station to roam among various APs in different IP subnets." (Abstract) In contrast to the use of IAPP for **roaming** purposes, the Applicant's invention is directed to extending the use of IAPP for **access** control. There is no teaching, motivation or suggestion in either Pruss or Chiou

to modify the existing IAPP protocol to extend its use for the purpose of terminating an association of a mobile station with an access point in response to a determination that an account relating to the given mobile station has a balance of zero.

In rejecting Applicant's arguments, the Examiner argues that Pruss teaches a communication protocol for connecting a mobile station to an access point. (Examiner's Answer; page 11line 10, *et seq.*) The Examiner, however, acknowledges that Pruss fails to teach any use of the IAPP protocol; to overcome that deficiency, the Examiner looks to the teachings of Chiou, stating that: "[t]he [IAPP] protocol taught by Chiou et al incorporated into the system taught by Pruss et al would be used for these purposes as well." (Examiner's Answer; page 11, line 22, *et seq.*) The Examiner, however, fails to provide any support for how the IAPP protocol would be used for access control, as Applicant has claimed, beyond its conventional use for handover. If the teachings in Chiou regarding use of the IAPP protocol are combined with the teachings of Pruss, the result would be a system that uses IAPP for handover while using the methods described by Pruss for access control. There is simply no suggestion in Chiou (much less Pruss), *however*, to adapt the IAPP protocol for the purpose of access control.

In the present case, Pruss fails to teach or suggest any use of the IAPP protocol, much less an extension or adaptation of the IAPP protocol for the purpose of terminating access upon detecting that the account relating to the given mobile station has a balance of zero. Chiou fails to cure that deficiency; in fact, the Examiner's reliance on the teachings of Chiou appears limited to the fact that Chiou also uses the IAPP protocol. The IAPP protocol is used in Chiou, however, for conventional handover purposes, not access control as utilized in the Applicant's claimed invention. Thus, the Examiner's picking and choosing from the prior art the various technical terms and general functions embodied in Applicant's claims is improper, and a *prima facie* case of obviousness has not been established.

For the foregoing reasons, claim 1 is not obvious over Pruss in view of Chiou. Whereas independent claims 7 and 8 recite limitations analogous to those of claim 1, they are also not obvious over those references. Furthermore, whereas claims 2, 3 and 6 are dependent from claim 1, and include the limitations thereof, they are also not obvious over those references.

CONCLUSION

As established by the arguments in Applicant's original brief, and further elaborated herein in response to the Examiner's Answer, claims 1-8 are patentable over the prior art of record, and the Applicant requests that the claim rejections be reversed and the application be remanded for further prosecution.

Respectfully submitted,

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